

Application No.: 09/980911

Case No.: 54919US005

Remarks

Claims 6-10 have been withdrawn and the Applicant has filed a divisional application with these claims. Claims 2-5 are presently pending in the above-referenced application. Reconsideration and withdrawal of the Examiner's rejections is respectfully requested in view of the following remarks.

§ 112 Rejection

Claim 5 has been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, because the claim allegedly contains "subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention." The Applicants traverse this rejection and direct the Examiner's attention to page 1, lines 6-24, and Fig. 1, which describe and show traditional devices including a lower diffusive plate 92 disposed between a light source 91 and an optical film 93 and separated therefrom by air layers 94-1 and 94-2. Some disadvantages of such traditional devices include optical losses due to reflections at the component/air interfaces, which lower light transmission efficiency. (Specification, p. 1, lines 25-30).

Optical laminated bodies of the present disclosure can allow reduction of the number of parts, as well as reduction of the number of optical surfaces of the optical system. (Specification, p. 2, lines 1-5, p. 3, lines 3-10). In particular, as it is summarized at page 2, line 31- page 3, lines 1-3, of the Specification, "[s]ince the optical laminated bodies comprise diffusive films, an upper diffusive plate and/or a lower diffusive plate of the prior art are not required when the bodies are incorporated into the area luminescence equipment." Accordingly, an exemplary device according to the present application shown in Fig. 3 and discussed at page 10, line 25 – page 11, line 18, of the Specification, includes a light guiding plate 1 and an optical laminated body 2. The optical laminated body 2 is disposed to receive light from the light emitting surface 11 of the light guiding plate 1 through an air layer 51, while a diffusive plate is not shown or described. Therefore, claim 5 does not contain new matter and does not fail to comply with the written description requirement. Withdrawal of the Examiner's rejection under 35 U.S.C. § 112 is respectfully requested.

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§103 Rejections

Claims 2-5 have been rejected under 35 USC § 103(a), as being unpatentable over Gunjima et al. (US 5,587,816A) ("Gunjima") in view of Liu et al. (US 6,208,466) ("Liu"). The Applicant respectfully submits that in view of 35 U.S.C. §103(c) Liu is unavailable as a reference for use in a rejection under 35 U.S.C. §103(a), because Liu and the present application were, at the time the invention of the present application was made, owned by 3M Innovative Properties Company. Such common ownership is apparent from the assignee information provided on the face of Liu and from the Assignment submitted in the present application and recorded on 11/08/2001 at Reel/Frame: 012532/0253. Accordingly, the Applicant respectfully requests withdrawal of this rejection. In any case, Liu does not teach or suggest all of the elements of claims 2-5. For example, Liu does not teach placing a lens film between the optical laminated body and the light source. Accordingly, the Applicants respectfully request withdrawal of the Examiner's rejection of claims 2-5 under 35 U.S.C. §102(e).

As the Examiner acknowledges, Gunjima fails to disclose an optical laminated body comprising a reflective polarizing film disposed between diffusive films disposed closely to the reflective film's front and back surfaces, as required by the independent claim 2, and, consequently, by the dependent claims 3-5. The Examiner asserts that the polarized light separator 38 shown in Fig. 6 is an optical laminated body comprising a polarizing plate. However, the reference neither teaches nor suggests at least "a first transparent film disposed closely to a front surface of the polarizing layer, and a second transparent film disposed closely to a back surface of the polarizing layer ... and both of the first transparent film and the second transparent film are diffusive films," as required by the independent claim 2. On the contrary, Gunjima teaches the use of a light diffusing plate 8 to widen the viewing angle, while the present application seeks to avoid using such diffusing plates. Therefore, Gunjima does not teach or suggest all elements of the pending claims and these claims are not unpatentable under 35 USC § 103(a).

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested. Allowance of claims 2-5 at an early date is earnestly solicited. Should the Examiner determine that a telephone interview would be

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beneficial in resolving any of the issues in this case, the Examiner is invited to telephone the undersigned attorney at the telephone number provided below.

Respectfully submitted,

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Date

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